

### REMARKS

Claims 1-20 are currently pending in the subject application and are presently under consideration. Claims 1, 13, and 15 have been amended to better describe certain aspects of the invention. Favorable reconsideration of the subject patent application is respectfully requested in view of comments and amendments herein.

#### **I. Rejection of Claims 15-20 Under 35 U.S.C. §102(e)**

Claims 15-20 stand rejected under 35 U.S.C. §102(e) as being anticipated by Malmros (2003/0026762). Claim 15 has been amended herein to recite a sensor having a plurality of pixels wherein the *plurality of pixels are scaled microscopically to a diffraction-limited spot size associated with the optical medium*. Malmros fails to teach a microscope imaging system where the pixels are scaled in size in accordance with a diffraction-limited spot size of the optical medium. Such scaling as claimed facilitates optical imaging performance as disclosed in the subject patent application. Since Malmros fails to disclose each and every element of claim 15, withdrawal of this rejection is respectfully requested. In addition, applicants reserve the right to file a 131 declaration to have Malmros removed as a reference.

#### **II. Rejection of Claims 1-4, 6, 8-10, and 13 Under 35 U.S.C. §103(a)**

Claims 1-4, 6, 8-10, and 13 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Maekawa (US 5,769,076) in view Vock, et al. (US 5,798,519). Claims 1 and 13 have been amended herein to recite that pixels are scaled or correlated *microscopically* in size to a diffraction-limited spot. Neither Maekawa nor Vock alone or in combination teach such scaling or correlation on a *microscopic* scale. Vock is cited to teach mapping of pixels to a field of view but as noted in previous responses, the field of view is not a microscopic field of view. Maekawa fails to teach any type of pixel to diffraction-limited spot mapping or correlation. Since neither Maekawa nor Vock teach a mapping where pixels are scaled or correlated *microscopically*, withdrawal of this rejection is respectfully requested.

#### **III. Rejection of Claims 7 and 14 Under 35 U.S.C. §103(a)**

Claims 7 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maekawa (US 5,769,076) in view Vock, et al. (US 5,798,519) and in further view of Malmros (2003/0026762). As noted above, claims 1 and 13 have been amended herein to recite that pixels are scaled or correlated *microscopically* in size to a diffraction-limited spot. Malmros does not make up for the aforementioned deficiencies of Maekawa or Vock that fail to teach scaling or correlation of pixels on a *microscopic* scale. As such, withdrawal of this rejection is respectfully requested.

**IV. Rejection of Claims 7 and 14 Under 35 U.S.C. §103(a)**

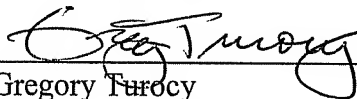
Claims 11 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maekawa (US 5,769,076) in view Vock, et al. (US 5,798,519) and in further view of Soenksen (US 6,711,283). As noted previously, claims 1 and 13 have been amended herein to recite that pixels are scaled or correlated *microscopically* in size to a diffraction-limited spot. Soenksen does not make up for the aforementioned deficiencies of Maekawa or Vock that fail to teach scaling or correlation of pixels on a *microscopic* scale. Accordingly, withdrawal of this rejection is respectfully requested.

A request for a three month extension of time is hereby made (small entity status has been established). Payment is made through the EFS-Web system.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,  
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